

**CONCURRENT RESOLUTION URGING THE UNITED
STATES DRUG ENFORCEMENT ADMINISTRATION TO
APPROVE A PHARMACEUTICAL DROP BOX PILOT
PROGRAM**

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brad M. Daw

Senate Sponsor: Evan J. Vickers

LONG TITLE

Committee Note:

The Health and Human Services Interim Committee recommended this bill.

General Description:

This concurrent resolution highlights the devastating impact of the opioid epidemic and urges the United States Drug Enforcement Administration to approve a pilot program for pharmaceutical drop boxes.

Highlighted Provisions:

This resolution:

- highlights the impact of the opioid epidemic on the state of Utah;
- describes previous actions to place law enforcement-controlled pharmaceutical drop boxes in local pharmacies; and
- urges the United States Drug Enforcement Administration to approve a pilot program for pharmaceutical drop boxes that are controlled by local law enforcement agencies.

Special Clauses:

None



Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, the state of Utah is committed to fostering a safe and drug-free environment for all of its citizens;

WHEREAS, the United States Drug Enforcement Administration designated the state of Utah as an official DEA 360 strategy area in the fall of 2017 to combat opioid addiction and overdose deaths in the state;

WHEREAS, Utah ranks 4th highest in the nation for drug overdose deaths, with 23 individuals dying each month from a prescription opioid overdose in 2016;

WHEREAS, from 2000 to 2015, Utah experienced a nearly 400% increase in deaths from the misuse and abuse of opioids, and the problem is continuing to grow;

WHEREAS, most individuals who misuse prescription drugs have access to the drugs from a friend or relative, not a local drug dealer;

WHEREAS, Utah currently has over 150 drop boxes based in local law enforcement offices around the state;

WHEREAS, Utahns have advised members of the newly formed Attorney General's Opioid Task Force that people would be more likely to drop off unused pharmaceutical drugs in a drop box if the boxes are placed in local pharmacies;

WHEREAS, even though drop boxes are allowed in pharmacies, Utah pharmacists have repeatedly informed the Opioid Task Force that federal regulations governing the placement and maintenance of drop boxes are too onerous;

WHEREAS, Utah is a geographically large state with a substantial portion of the population living in rural areas, and some citizens must drive over 20 miles to place their unused drugs in a designated drop box;

WHEREAS, in a letter sent to the United States Drug Enforcement Administration on May 31, 2017, the Utah Attorney General requested a waiver from existing regulations to operate a one-year pilot program that would allow law enforcement agencies to place and operate pharmaceutical drop boxes in local pharmacies;

WHEREAS, the United States Drug Enforcement Administration's response dated September 6, 2017, to the Utah Attorney General's request merely reiterated existing regulations and failed to address the pilot program;

WHEREAS, all of the pharmaceutical drop boxes in the pilot program would be

59 completely owned and operated by a local law enforcement entity, and all boxes would be
60 installed in conjunction with in-store security camera and facility alarm systems;

61 WHEREAS, local law enforcement officers would be solely responsible for emptying
62 and securing the disposed drugs until the drugs could be properly destroyed;

63 WHEREAS, drugs placed in the secure drop boxes would be considered abandoned
64 property and would be destroyed in accordance with applicable state and federal law;

65 WHEREAS, drop boxes in the pilot program would not be placed in pharmacies that
66 are already registered as Collectors with the United States Drug Enforcement Administration;
67 and

68 WHEREAS, the pilot program would allow the Opioid Task Force to evaluate whether
69 a significant increase in the number of take-back locations could reduce rates of prescription
70 drug misuse, overdose, and death:

71 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
72 Governor concurring therein, requests that the United States Drug Enforcement Administration
73 respond to the Utah Attorney General's request for a pilot program to allow local law
74 enforcement agencies to place and operate pharmaceutical drop boxes in local pharmacies.

75 BE IT FURTHER RESOLVED that the Legislature and the Governor join the Utah
76 Attorney General to call on the United States Drug Enforcement Administration to act quickly
77 to support the state of Utah in its efforts to address the opioid epidemic by approving the
78 pharmaceutical drop box pilot program.

79 BE IT FURTHER RESOLVED that a copy of this resolution be delivered to the United
80 States Attorney General, the United States Attorney for the District of Utah, and the
81 Administrator of the United States Drug Enforcement Administration.